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Neil M. Frank

Peter A. Romero

September 16, 2010

**VIA ECF  
AND OVERNIGHT MAIL**

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ SEP 21 2010 ★

LONG ISLAND OFFICE

Hon. Arthur D. Spatt  
United States District Judge  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, New York 11722

**Re: Higueros v. New York State Catholic Health Plan, Inc.  
07 CV 0418 (ADS) (ETB)**

Dear Judge Spatt:

This firm represents the Plaintiffs in the above-referenced action. We write on behalf of both parties to respectfully request an in-person conference to address the issue raised in Your Honor's September 10, 2010 Order on Motion for Settlement. For the ease of the Court, counsel for both parties are available for a conference on September 21, September 28 and October 1, 2010.

Thank you for your kind consideration of this request.

*Respectfully submitted,*

FRANK & ASSOCIATES, P.C.



Peter A. Romero

*An in-Court conference  
is set for September 28,  
2010 at 9:00 a.m.*

cc: Jennifer F. DiMarco, Esq.

MOVANT'S COUNSEL IS DIRECTED TO SERVE A  
COPY OF THIS ORDER ON ALL PARTIES UPON  
RECEIPT VIA FACSIMILE.

*U.S.D.J. 9/24/10*